



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,894	12/10/2003	Ernesto Frassinelli	22106-00050-US	5198

30678 7590 09/29/2005

CONNOLLY BOVE LODGE & HUTZ LLP
SUITE 800
1990 M STREET NW
WASHINGTON, DC 20036-3425

EXAMINER

WELCH, GARY L

ART UNIT	PAPER NUMBER
----------	--------------

3765

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/730,894

Applicant(s)

FRASSINELLI, ERNESTO

Examiner

Gary L. Welch

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/10/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because reference number 22 (nearest bottom of page) should be changed to --32-- along with reference line. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

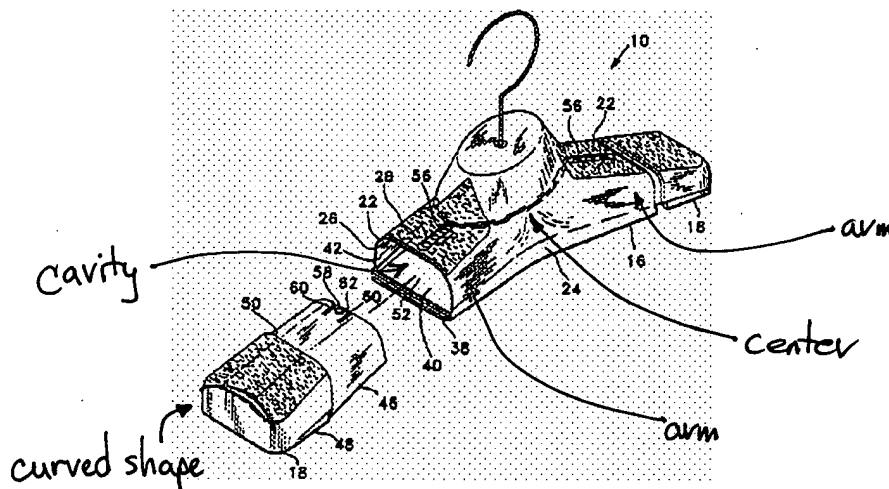
A person shall be entitled to a patent unless –

Art Unit: 3765

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Long et al. (U.S. 5,718,358).

Long et al. discloses an adjustable clothes hanger 10 having upper hanging means 20, two symmetrical side arms 16 extending away from the center point of the hanger (see figure below) and moveable means 18 for supporting a garment. The moveable supporting means 18 are fixed integrally with sliding elements (56, 58) in cavities provided inside the arms so as to permit width adjustment of the moveable means 18.



With regard to claim 2, the moveable means of support 18 are superimposed on the arms 16 and are connected to projections of the sliding elements. The projections 58 protrude from longitudinal apertures 56 provided in the upper part of the arms 16.

Art Unit: 3765

With regard to claim 3, the arms 16 slant downward and the moveable support 18 has a curved shape.

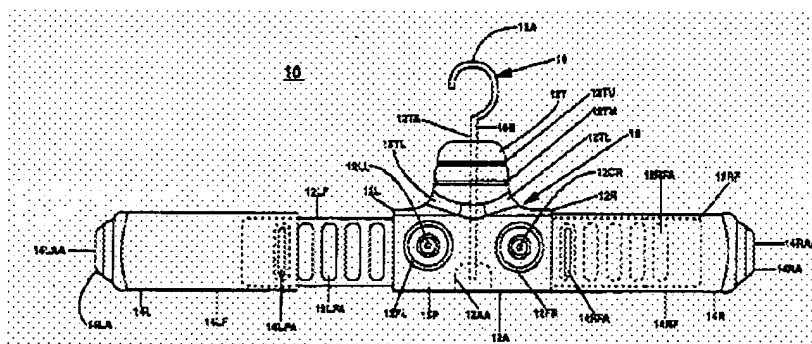
With regard to claim 4, the protruding edge of the projection 58 is positioned into seat 56 in the lower part of the means of support 18.

With regard to claim 5, the sliding elements are provided with at least one tooth in forced contact with a wall of the cavities in which notches are provided so as to define a number of stop positions.

With regard to claim 6, the upper hanging means is a hook 20.

4. Claims 1, 2 and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Koons (U.S. 5,941,429).

Koons discloses an adjustable clothes hanger having upper hanging means 16, two symmetrical side arms (12LF, 12RF) extending away from the center point of the hanger (see figure below) and moveable means (14L, 14R) for supporting a garment. The moveable supporting means (14L, 14R) are fixed integrally with sliding elements (14LFA, 14RFA) in cavities provided inside the arms so as to permit width adjustment of the moveable means (see figure below).



Art Unit: 3765

With regard to claim 2, the moveable means of support (14L, 14R) are superimposed on the arms and are connected to projections of the sliding elements that protrude from longitudinal apertures provided in the upper part of the arms (12LF, 12RF).

With regard to claim 4, a protruding edge of the projections is positioned into corresponding seats provided in the lower part of the means of support.

With regard to claim 5, the sliding elements are provided with at least one tooth in forced contact with a wall of the cavities in which notches are provided and designed to engage the tooth so as to define a number of stop positions.

With regard to claim 6, the upper hanging means 16 is a hook.

With regard to claim 7, the arms (12LF, 12RF) extend horizontally along the same axis. The moveable support means (14L, 14R) are positioned below the arms and are connected to sliding elements via longitudinal apertures provided in the lower walls of the cavities.

5. Claims 1, 6, 7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Kollegen (German Patent DE 200 08 718).

Kollegen discloses an adjustable clothes hanger 1 having upper hanging means 3, two symmetrical side arms (16, 17) extending away from the center point of the hanger (see figure below) and moveable means (4, 5) for supporting a garment. The moveable supporting means (4, 5) are fixed integrally with sliding elements (6, 7, 11 and 12) in cavities provided inside the arms (16, 17) so as to permit width adjustment of the moveable means.

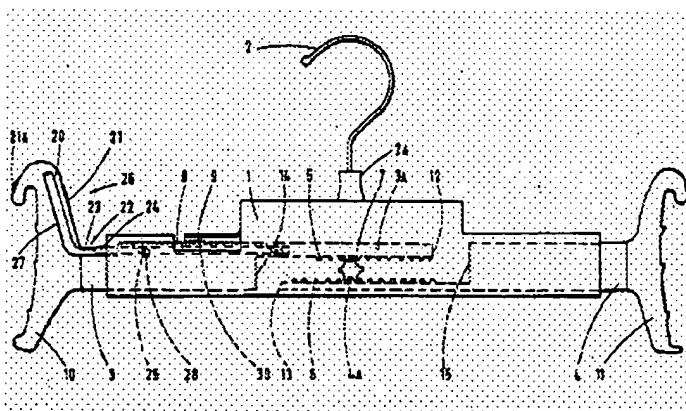
With regard to claim 6, the upper hanging means 3 is a hook.

With regard to claim 7, the side arms (16, 17) extend horizontally along the same axis. The moveable means of support are positioned below the arms and are connected to sliding elements via longitudinal apertures provided in the lower walls of the cavities.

With regard to claim 8, the moveable means of support (4, 5) are provided with clips (9, 10) for gripping the garment.

6. Claims 1, 5-7, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Hunt (U.S. 5,044,535).

Hunt discloses an adjustable clothes hanger having upper hanging means 2, two symmetrical side arms (see figure below) extending away from the center point of the hanger (see figure below) and moveable means (3, 4) for supporting a garment. The moveable supporting means (3, 4) are fixed integrally with sliding elements in cavities provided inside the arms so as to permit width adjustment of the moveable means.



With regard to claim 5, the sliding elements are provided with at least one tooth in forced contact with a wall of the cavities in which notches are provided and designed to engage the tooth to define a number of stop positions.

With regard to claim 6, the upper hanging means 2 is a hook.

With regard to claim 7, the side arms extend horizontally along the same axis.

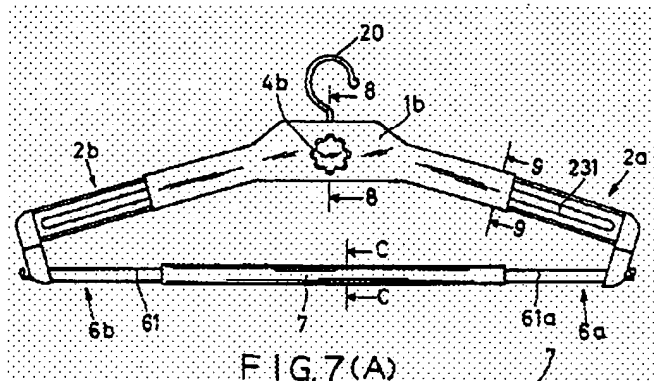
The moveable means of support are positioned below the arms and are connected to sliding elements via longitudinal apertures provided in the lower walls of the cavities.

With regard to claim 8, clips (10, 11) are provided for gripping a garment.

With regard to claim 9, sliding elements are provided with at least one tooth in forced contact with a wall of the cavities in which notches are provided and designed to engage the tooth to define a number of stop positions.

7. Claims 1, 6, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang (U.S. 5,456,391).

Chang discloses an adjustable clothes hanger having upper hanging means 20, two symmetrical side arms (7A, see figure below) extending away from the center point of the hanger and moveable means (2a, 2b) for supporting a garment. The moveable supporting means (2a, 2b) are fixed integrally with sliding elements in cavities provided inside the arms so as to permit width adjustment of the moveable means.



With regard to claim 6, the upper-hanging means 20 is a hook.

With regard to claim 10, the moveable means of support (4, 5) consist of a pair of bars (6a, 6b, 7) inserted telescopically one inside the other.

With regard to claim 11, the hanger is fabricated from two symmetrical half-shells along a longitudinal axis and are assembled after the insertion of the sliding elements.

8. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen (GB 2,262,224).

Chen discloses an adjustable clothes hanger having upper hanging means 60, two symmetrical side arms (11a, 11b) extending away from the center point of the hanger and moveable means (30a, 30b) for supporting a garment. The moveable supporting means (30a, 30b) are fixed integrally with sliding elements in cavities provided inside the arms so as to permit width adjustment of the moveable means.

With regard to claim 2, the moveable means of support (30a, 30b) are superimposed on the arms and are connected to projections of the sliding

Art Unit: 3765

elements that protrude from longitudinal apertures provided in the upper part of the arms (11a, 11b).

With regard to claim 3, the arms (11a, 11b) slant downwards and the moveable support (30a, 30b) has a curved shape.

With regard to claim 4, a protruding edge of the projections is positioned into corresponding seats provided in the lower part of the means of support.

With regard to claim 5, the sliding elements are provided with at least one tooth in forced contact with a wall of the cavities in which notches are provided and designed to engage the tooth so as to define a number of stop positions.

With regard to claim 6, the upper hanging means 60 is a hook.

Conclusion

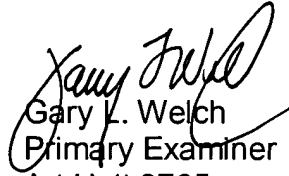
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bell '957, See '385, Kilian et al. '166, Woodworth '871, Lam et al. '058 and Autry et al. '538 disclose various adjustable hangers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary L. Welch whose telephone number is (571) 272-4996. The examiner can normally be reached on Mon-Fri 5:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John J. Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3765

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gary V. Welch
Primary Examiner
Art Unit 3765

glw